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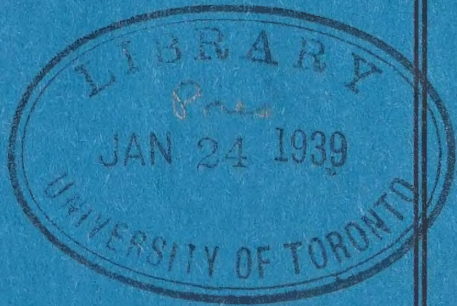
Canada - Review (Immigration), Board of

# BOARD OF REVIEW

(IMMIGRATION)



## REPORT



OCTOBER 12, 1938

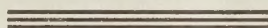




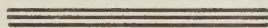


# BOARD OF REVIEW


(IMMIGRATION)



## REPORT



OCTOBER 12, 1938



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OTTAWA, Ontario, October 12, 1938.

SIR,—I have the honour to present herewith the Report of the Board of Review which was appointed to investigate charges concerning the illegal entry of aliens into Canada. Your instructions to the Board have been carried out to the best of our ability. Inspector Fish and Mr. Taylor desire to join with me in expressing our appreciation of the assistance which was received during the course of our enquiry from the representatives of the various Departments of your Government.

I have the honour to be,

Sir,

Your obedient servant,

HUGH LL. KEENLYSIDE,

*Chairman of the Board of Review.*

The Right Honourable

W. L. Mackenzie King, P.C., M.P., C.M.G.

Prime Minister of Canada,

Ottawa, Ontario, Canada.



## REPORT

### A

#### THE APPOINTMENT OF THE BOARD OF REVIEW

1. Speaking in the House of Commons on the 4th of March, 1938, in the course of a debate on Japanese immigration, the Prime Minister announced that the Government had decided to appoint a Board of Review to investigate charges that aliens, in particular Oriental aliens, had been entering Canada illegally and surreptitiously in large numbers. In making this announcement the Prime Minister said:—

As I indicated on February 17, the Government has been investigating the question of surreptitious immigration into Canada, particularly on the Pacific coast. Officials of the interested departments have been considering the matter jointly and the Government intends to intensify the investigation and do everything it possibly can to prevent anything in the way of illegal entry. In accordance with the statement made at that time the interdepartmental committee, consisting of representatives of the branches of the service chiefly concerned; namely, Immigration, Justice, National Defence, Labour, Fisheries, Statistics and External Affairs, has been instructed to re-examine the whole situation and to report at an early date.

In addition it has been decided to appoint a Board of Review composed of representatives of immigration and the Royal Canadian Mounted Police and external affairs to carry on an inquiry in British Columbia. The board will not necessarily hold public sittings but will be prepared to receive representations from any person claiming to have information regarding illegal entry and anyone having such information will be invited to present it to the Board. These representations will be immediately investigated. A special detail will be assigned by the Royal Canadian Mounted Police to work in collaboration with the Board to carry out a thorough check-up. The report of the Board of Review will be given immediate consideration by the government.

2. Public announcement of the appointment and personnel of the Board was made in the House of Commons on the 14th of March.

### B

#### STATEMENTS REGARDING ILLEGAL ENTRY

3. The decision to appoint the Board of Review was taken as a result of statements made prior to and during the course of the parliamentary debate on Japanese immigration, by members of Parliament and other persons holding responsible positions, and it is quite clear that it was primarily the Japanese about whom the complainants were chiefly concerned. Thus, although the Board was instructed to investigate charges of illegal entry made against aliens of any nationality and did, in fact, carry out these instructions, it was apparent from the first that those whose representations had resulted in the appointment of the Board were interested almost exclusively in the Japanese problem. Thus it was inevitable that the work of the Board should become focused upon this aspect of the situation.



4. Unfortunately the situation in British Columbia is complicated by the circulation of rumours which have little or no proven substance but are disseminated assiduously as records of fact. The resulting picture which has been built up in the minds of many of the people of British Columbia is one in which well organized gangs of smugglers run boat-loads of Japanese across the Pacific, land them in the dark of night on the west coast of the Queen Charlotte Islands or of Vancouver Island, whence they rapidly find their way into the fishing, agricultural, or industrial life of the Province. While this picture is to-day false both in detail and in substance, the public mind in British Columbia was made susceptible and was prepared for its reception by the undoubted fact that between the years 1916 and 1931, and particularly between 1922 and 1931, many Japanese did enter Canada illegally.

5. In reply to questions asked in the House of Commons the Prime Minister stated that the only duty of the Board of Review was to ascertain and report on the facts of the situation relating to illegal entry. He added, however, that it was to be anticipated that the Board might incidentally receive information on other aspects of the Oriental problem and that this might be found useful by the Inter-departmental Committee which had been appointed to review the whole Oriental problem. The Prime Minister's expectations were amply justified in fact, and a considerable amount of general information was collected and has been placed before the members of the Inter-departmental Committee.

6. *This Report deals with the problem of illegal entry only.*

## C

### PREVIOUS INVESTIGATIONS AND DEDUCTIONS THEREFROM

7. Before considering the experience of the Board of Review, reference should be made to previous investigations of a somewhat similar nature that have taken place in British Columbia. On the 3rd of July, 1931, Mr. Fred Yoshy, who had been confidential Japanese interpreter for the Immigration Department in Vancouver since 1912, was arrested and charged with conspiracy, breach of trust as a public officer, and unlawfully receiving gifts whilst employed by the Government. As a result of the investigation into Yoshy's activities it was estimated that not less than fifteen hundred (1,500) Japanese had been assisted to enter Canada illegally. During the next six years the Royal Canadian Mounted Police succeeded in apprehending 213 illegal entrants, of whom 161 were deported, 47 others being allowed to remain in Canada on compassionate or other grounds. These figures include illegal entrants who gained access to the Dominion by deserting from ships, or in some other manner. Approximately 50 per cent of all Japanese convicted of violating the Immigration laws, however, gained admission to Canada by means of forged documents supplied by Mr. Yoshy. In addition to the numbers of Japanese who were arrested during these years, it was estimated by the Royal Canadian Mounted Police that some twenty-three hundred (2,300) left the country voluntarily actuated by fear of apprehension. Thus by the time the Board of Review was appointed it was estimated by the Royal Canadian Mounted Police and by the Immigration officials that altogether some three thousand (3,000) Japanese had entered Canada illegally; that of these, 161 had been deported, 47 allowed to remain in Canada, 2,300 had left voluntarily, and that somewhere in the neighbourhood of 400 were probably still at large within the Dominion. The last estimate was based, to a considerable extent at least, upon the assumption that there must be some justification for the charges about Japanese illegally on the Queen Charlotte



Islands. It was generally agreed in official circles that very few Japanese had entered Canada illegally since 1932. How these estimates compare with the conditions revealed by the work of the Board will appear below.

## D

### THE WORK OF THE BOARD OF REVIEW

8. The duties assigned to the Board of Review were indicated in the Prime Minister's statement which is quoted on the first page of this Report. Its first duty was to provide an opportunity for those persons and organizations in British Columbia who had been asserting and reiterating that Orientals were entering Canada illegally in large numbers to present the evidence upon which such assertions were based. In consultation with the government it was decided that the Board would give every possible facility to those residents of the Pacific Coast who might have information to support the charges that had been made. To this end it was agreed that the Board would visit various parts of the Province; that all sessions would be held *in camera*; that all representations would be treated as strictly confidential; and that information might be conveyed to the Board either by personal interview or in writing. Particular care was to be taken to see that all information thus received should be adequately checked. A wide campaign of publicity for the Board sessions was proposed and approved in order that as few residents of British Columbia as possible should be left in ignorance of its appointment or of the purposes for which it had been established. As promised by the Prime Minister it was arranged that a special detail of the Royal Canadian Mounted Police should be assigned to investigate every clue—no matter how tenuous—that might be disclosed to the members of the Board. The Board also was given wide discretion to recommend other methods of approaching the problem if such should seem advisable.

9. Thus it is fair to say that the Dominion Government by the appointment of the Board of Review and by the latitude of the regulations under which it was to operate, supplied the persons who had been making the charges mentioned above with every reasonable facility to substantiate their accusations. And finally the Board provided convenient and efficient machinery to investigate every shred of evidence, even that based on rumour and hearsay, which the people of British Columbia could place before it.

10. On Monday, the 21st of March, the Board met for the first time in the office of the District Superintendent of Immigration at Vancouver. It was then decided that the Vancouver sessions of the Board would be held in the Immigration Building and arrangements were made to provide the necessary stenographic and clerical assistance.

11. At the outset of its work the Board established contacts with administrative officials in the Provincial Police, in the Provincial Departments of Labour and Education, and with the representatives of the Department of National Defence (Military District No. 11).

12. At the first meeting of the Board it was decided that sessions for the reception of information would be opened on Thursday, the 24th of March, and that they would be continued as long as results appeared to justify such action.

13. In order that the establishment of the Board should become as widely known as possible a statement was released to the press on the 21st of March. Feature articles based on this statement were published and resulted in wide



publicity being given to the program of the Board. At the same time a paid advertising campaign was initiated. Display advertisements were published in the following newspapers on the dates noted:—

Place	Paper	Date (1938)
Vancouver.....	Province.....	Mar. 22, 23, 24.
Vancouver.....	Sun.....	Mar. 22, 23, 24.
Vancouver.....	News-Herald.....	Mar. 23, 24.
Victoria.....	Colonist.....	Mar. 25, 26.
Victoria.....	Times.....	Mar. 25, 26.
New Westminster.....	Columbian.....	Mar. 24, 25.
Prince Rupert.....	News.....	Mar. 28, 29.
Prince George.....	Citizen.....	Mar. 31.
Kamloops.....	Sentinel.....	Mar. 25, 29.
Vernon.....	News.....	Mar. 31.
Kelowna.....	Courier.....	Mar. 31.
Trail.....	Times.....	Mar. 26, 28.

14. By the end of March there could have been few literate persons in the province of British Columbia who did not know of the establishment and purpose of the Board of Review.

15. The complete program of official sessions of the Board during this phase of its activities was as follows:—

	(all dates inclusive)
Vancouver.....	24th March— 5th April
Victoria.....	6th April — 8th April
Port Alberni.....	11th April
Vancouver.....	12th April
New Westminster.....	13th April
Chilliwack.....	14th April
Vancouver.....	15th April —18th April
Prince Rupert.....	20th April —22nd April
Prince George.....	23rd April
Kamloops.....	26th April
Vernon.....	27th April
Kelowna.....	28th April
Penticton.....	29th April
Vancouver.....	2nd May —13th May

16. Information was supplied the press in advance of any change of venue and the following program of paid advertising was used to supplement this publicity:—

Place	Paper	Date (1938)
Victoria.....	Colonist.....	April 4, 5, 6.
Victoria.....	Times.....	April 4, 5, 6.
New Westminster.....	Columbian.....	April 11, 12.
Prince Rupert.....	News.....	April 19, 20.
Prince Rupert.....	Empire.....	April 19, 20.
Prince George.....	Citizen.....	April 21.
Kamloops.....	Sentinel.....	April 19, 22, 25.
Vernon.....	News.....	April 7, 21.
Kelowna.....	Courier.....	April 7, 21, 28.
Chilliwack.....	Progress.....	April 13.
Nelson.....	News.....	April 7.
Nelson.....	Times.....	April 19, 21, 23.
Port Alberni.....	News.....	April 7.
Port Alberni.....	West Coast Advo- cate.....	April 7.
Penticton.....	Herald.....	April 21, 23, 26 and 28.

17. Prior to the arrival of the Board in the cities of the North and of the Interior of the province letters were addressed to municipal officials advising them of the itinerary and inviting their co-operation and that of their local Boards of Trade and Chambers of Commerce. These letters were amply justified by their results in publicity and information received.



18. Office space in the various cities visited by the Board, with the exception of Prince Rupert, was provided by the Dominion Department of Public Works through the agency of the Resident Architect in British Columbia. The arrangements made were admirably suited to their purpose. In Prince Rupert quarters were provided through the courtesy of the Commissioner of the Provincial Police.

19. In addition to its official sessions the Board of Review paid brief visits, for observation or discussion with local residents or officials, to Esquimalt, Nanaimo, Williams Lake, Summerland, Mission, Haney, Maple Ridge, Squamish, and Steveston. Thus it is not an exaggeration to say that during their period of work in British Columbia the members of the Board gave ample opportunity to every resident of the province to communicate with them, and themselves visited every major centre of Oriental activity in British Columbia.

20. As the program of the Board developed it soon became apparent that comparatively meagre results were going to be obtained through the policy of relying for information upon the people of British Columbia. Of those who had been most vigorous in their assertions regarding illegal entry, many failed either to appear before or to communicate with the Board, while those who did make representations either had no information at all or were relying upon rumours of the most inconclusive nature. In the whole course of the investigation not one single name or one item of evidence leading to the apprehension of any individual was supplied to the Board of Review by any person who had been prominently associated with the campaign against illegal entrants. The only useful information on this subject was received from fellow-nationals of the suspects, from persons with grudges to work off, or from private individuals who happened by chance to be in possession of specific information. The total number of suspects uncovered during this phase of the Board's work was one hundred (100), of whom only nineteen were Japanese.

21. As this source of information was seen to be failing, it was decided that the Board would have to devise a method of its own to ascertain the actual facts of the situation. After some consideration it was decided to devote the summer months to a controlled "sampling" of the Japanese community in the province. It was arranged that the Police Detail which had been assisting in the work of the Board would (in addition to clearing up any cases remaining unsolved among the one hundred (100) referred to above) be assigned the task of making a detailed and intensive examination of certain typical and representative Japanese communities throughout the province. It was decided to check every Japanese resident of the selected communities and it was felt that by this method of sampling a fair yard-stick could be obtained whereby the number of illegal entrants currently in Canada could be accurately estimated. The greatest care was taken to include in the areas selected for testing every community that had been referred to as a centre of the movement of illegal immigrants. Thus very special attention was devoted to the Queen Charlotte Islands, to Mayne Island, and to certain Japanese logging operations that had been named by the critics. The list was also compiled with a view to giving adequate representation to all the different types of Japanese activity in the province—agriculture, lumbering, fishing, retail trade, and personal service. The list as finally approved and as actually carried through was composed as follows:—



Community	Type of Activity	Number of Japanese Residents
1. Bella Vista Ridge, Vernon.....	Farming.....	75
2. Port Alberni.....	Lumbering.....	176
3. Green Cove.....	Fish Saltery.....	14
4. Bamfield.....	Fishing.....	17
5. Newcastle Island and Buchin Road.....	Fishing	
	Shipbuilding.....	104
6. Glacier.....	Railroading.....	32
7. Ocean Falls.....	Papermaking.....	310
8. Rivers Inlet.....	Fishing	
	Fish-canning.....	79
9. Paldi.....	Lumbering.....	106
10. Salt Spring Island.....	Farming.....	62
11. Matsqui District.....	Berry-growing.....	334
12. Masset and Queen Charlotte Islands.....	Whaling.....	
	Fishing.....	78
13. Kapoor.....	Lumbering.....	29
14. Minstrel Island.....	Logging.....	none
15. Anacis Island.....	Small Fruits	
	Fishing.....	39
16. Allison Harbour.....	Lumbering.....	28
17. Mayne Island.....	Farming.....	62
18. Powell Street, Vancouver.....	Retail Trade, Rooming Houses, etc....	287
19. Pelley Lake.....	Lumbering.....	30
		1,862

22. In making their investigations in the selected districts, the members of the Police Detail examined the papers of every individual with the greatest care. The information thus received was subsequently checked against the files in the Immigration Office in Vancouver. Thus there was little possibility of fraud being successful. Visits to the areas in question, moreover, were made without warning, and indeed with very great care to see that no information concerning the investigation should precede the arrival of the patrol.

23. In addition to the intensive search for illegal entries that has been described above, the Board studied with great care the methods employed by the Immigration officials in the handling of incoming and outgoing steamers. The importance of this subject was emphasized to the members of the Board by a study of the records which showed that prior to 1931 there were many cases of Japanese seamen deserting from ships in port, or of stowaways who gained access to the Dominion by surreptitious landings from ocean-going vessels. Finally the Board examined the organization of and the methods employed in the Vancouver Office of the Immigration Branch.

E

STATISTICAL SUMMARY OF RESULTS

24. In the following table is presented a concise statistical summary of the results obtained to date by the activities of the Board of Review:—

A

SUSPECTS NAMED IN SPECIFIC COMPLAINTS TO BOARD OF REVIEW

Nationality	Total Number	Departed voluntarily	Held for Deportation	Illegal Entrant but allowed to remain	Legally in Canada	Complaint unfounded	Not located
Japanese.....	19	2	4	2	3	8	0
United States citizens.....	15	1	0	0	8	1	5
Europeans.....	13	1	4	1	4	0	3
East Indians.....	53	2	15	1	21	1	13
Total.....	100	6	23	4	36	10	21



## B

## RESULTS OBTAINED BY "SAMPLING" JAPANESE COMMUNITIES

Nationality	Total Number	Departed voluntarily	Held for Deportation	Illegal Entrant but allowed to remain	Legally in Canada	Complaint unfounded	Not located
Japanese.....	1,862	1	7	0	1,854	0	0

## C

## TOTAL OF JAPANESE CASES

Nationality	Total Number	Departed voluntarily	Held for Deportation	Illegal Entrant but allowed to remain	Legally in Canada	Complaint unfounded	Not located
Total Japanese.....	1,881	3	11	2	1,857	8	0

## D

## COMBINED TOTAL

Nationality	Total Number	Departed voluntarily	Held for Deportation	Illegal Entrant but allowed to remain	Legally in Canada	Complaint unfounded	Not located
All Nationalities.....	1,962	7	30	4	1,890	10	21

25. The significance of Table A is merely that it shows that there is actually very little positive information behind most of the publicized assertions regarding Japanese illegally in Canada. Table B, however, is more important. The Board is strongly of the opinion that the method of sampling employed during the past few months has given a fair and representative picture of conditions in the Japanese community in British Columbia. Generalizing from this experience the members of the Board are prepared to assert that the number of Japanese now illegally in Canada is not greatly in excess of one hundred (100). The actual figure based on the results obtained by this technique would be  $8/1862 \times 28000$  or 120. It is of course true that there may be "pockets" of illegal entrants in certain localities not visited by the Police Detail, but this is not considered to be likely, as the Board of Review was careful to include in the list of areas to be examined every district that had been mentioned as a likely harbourage.

26. The officials of the Royal Canadian Mounted Police and of the Immigration Service in British Columbia are prepared to join the Board of Review in subscribing to the belief that the number of Japanese at present illegally in Canada is approximately 120. Larger estimates made by the Police some months ago were based, as has already been stated, on fragmentary information about certain areas such as the Queen Charlotte Islands.

27. In view of the publicity the subject has received it is essential that special reference should be made to the situation in the Queen Charlotte Islands. As has already been indicated, the people of British Columbia have been led to believe that it was via these Islands that the main stream of illegal entrants gained access to Canadian territory. For this reason the Board instructed the Police Detail to make a particularly careful survey of the situation on the



Islands and to check over with the local inhabitants and with other persons having special knowledge of northern British Columbia every shred of evidence and every rumour relating to the landing of Japanese or other aliens on the Islands. The result completely contradicted the fiction that had been created in the popular mind. The investigators found a very small Japanese community in the Islands (78 altogether) and obtained no evidence whatsoever that would in any way substantiate the statements that had been made. Indeed the Police Detail discovered, as did the members of the Board during their northern trip in April last, that the nearer they came to the Queen Charlotte Islands the less credence was placed by the local residents on the popular rumours regarding a Japanese influx through that channel. Most of the statements regarding the Islands emanated from people who live in Vancouver or Victoria and know little about actual conditions in the north. As is pointed out in the report submitted to the Board by the leader of the Police Detail which examined the situation in the Islands:—

In these isolated districts practically every man's movements are known to every other person. Any activity at all would soon be noticed and become common knowledge. Had there been grounds for any such rumours the writer would undoubtedly have been able to locate at least one person who had some concrete facts to offer.

Relatively few Japanese are employed in this district and all are either well known or easily accounted for. It seems extremely unlikely that any illegal entry would choose such a locality in which to hide.

With the number of fishermen and whalers operating in the adjacent waters and the regular Fishery patrols it is hardly creditable that any vessel could make a landing on the coast without being noticed. To any illegal entry landing in such a manner there would yet remain the problem of getting transportation over to the mainland.

The writer made the most extensive enquiries among men who have been resident in this part of the country for many years and who are fully aware of the possibilities available. Nothing whatever could be found to bear out the rumours existent and one could only conclude that they were entirely unfounded.

28. It is the opinion of the Board and of responsible and informed persons in British Columbia generally that very few if any aliens have gained illegal access to Canada by way of the Queen Charlotte Islands.

## F

### CERTAIN MINOR ASPECTS OF THE PROBLEM

29. Before proceeding to a consideration of possible future policies, brief reference should be made to certain minor aspects of the problem which were brought to the attention of the Board.

30. On more than one occasion the statement was made that the apparent readiness with which the federal authorities have in the past agreed to the cancellation of orders of deportation has had a bad psychological effect.

31. It was brought to the attention of the Board that the penalty for allowing a stowaway to land in Canada (under Section 50, subsection (10) of the Immigration Act) is so low (maximum \$100) that captains and owners of ocean-going vessels have no real incentive to maintain a satisfactorily strict control over their crews. Thus the temptation to the latter to engage in the unlawful but potentially profitable activity of assisting to smuggle stowaways into Canada is unchecked by the strict supervision which would otherwise be



maintained by the responsible ship's officers. Under the Chinese Immigration Act the penalty in such cases is \$1,000, and it is believed that the results are correspondingly more satisfactory.

32. A legal anomaly which was repeatedly drawn to the attention of the Board is found in the fact that a person who has entered Canada illegally and who subsequently secures naturalization by fraud or misrepresentation may have his certificate of naturalization revoked but cannot be deported for any cause whatsoever as the country of his original nationality will almost invariably refuse to extend him passport facilities or to accept him as a deportee. In connection with this subject of naturalization the Board was impressed with the desirability of continuing and adhering strictly to the practice of careful consultation with the Immigration authorities before Certificates of Naturalization are issued. In this way persons who are illegally in Canada will be precluded from obtaining naturalization.

## G

### SUMMARY OF THE PROBLEM AS DISCLOSED BY THE WORK OF THE BOARD

33. As a result of their investigations, the members of the Board of Review believe that the following statement sets forth with reasonable accuracy the facts of the situation which they were appointed to examine.

34. Between the years 1923 and 1931 the enforcement of the regulations of the Immigration Service of Canada at certain points on the Pacific Coast was lax and inefficient and Japanese entered Canada illegally in considerable numbers. This was due in part to the use of an inadequate technique and slack supervision at the actual ports of entry, and in part to malfeasance among the employees of the service, particularly the Japanese interpreter, Yoshy. The total number of Japanese who entered the Dominion illegally prior to the disclosure of Yoshy's activities in the middle of 1931 was not less than 2,500. Of these, 213 were apprehended, approximately 100 can be expected to have died, a number estimated at 200 left Canada for other countries, approximately 120 are believed to be still at large within the Dominion, and the remainder have departed voluntarily for their native land.

35. Following the disclosure of Yoshy's activities, the Royal Canadian Mounted Police and the Immigration officials began a series of check-ups throughout the province and a very much stricter guard was imposed at the ports of entry and along the coast generally. The members of the Board are convinced from their inquiries that since 1931 the number of Japanese who have obtained admission to Canada illegally is very small indeed. It is their conclusion that the present strict application of the Immigration regulations and the continuing activity of the representatives of the Mounted Police in their efforts to apprehend persons illegally in Canada have resulted in an almost complete cessation of efforts on the part of Japanese to obtain entrance illegally into the Dominion.

## H

### PROBLEMS STILL TO BE SOLVED

36. As has been stated above, the number of Japanese illegally in Canada to-day is probably little more than one hundred (100). This relatively satisfactory condition is the result of several years of strenuous effort on the part of the Police and Immigration authorities and it should be recognized that if the salutary apprehension aroused by recent investigations is allowed to subside, and if at the same time the old lax methods are allowed to reappear difficulties will inevitably recur. The Board is strongly of the opinion (a) that efforts



should be made to apprehend the remaining illegal entrants, and (b) that no reasonable step should be omitted that might add to the improbability of any future recurrence of this problem. It is to a consideration of these two objectives that the remainder of the present Report is devoted.

37. The members of the Board are of the opinion that Police and Immigration officials should persist in their efforts to apprehend those persons who, having entered Canada illegally, are still at large in this country. Such efforts will not only result in the gradual elimination of those who are illegally in the Dominion but will also discourage others who may contemplate the possibility of seeking to obtain admission to Canada by illegal means.

38. At this point it should be emphasized that this problem of illegal entry is not one that faces Canada alone. It is common to all countries, in a greater or lesser degree. Nor, of course, is it in Canada confined to persons of Japanese nationality. It is moreover a problem that cannot be countered with 100 per cent success, either in Canada or elsewhere, except by the adoption of policies that would be wholly disproportionate as to cost, and repugnant, vexatious, and irritating to travellers and enforcement officials alike.

39. The prevention of illegal entrance in the future has been most carefully considered by the members of the Board and, as has been reported above, the preventive methods currently in use have been examined in detail, both on the ships and in the office. These methods, moreover, have been the subject of repeated discussion between members of the Board and the Police and Immigration officials who have had the responsibility for their enforcement.

40. The methods at present in use by the Immigration authorities in British Columbia are believed to be in consonance with the best accepted practice in other countries. In some respects the methods used in Vancouver and Victoria are more severe than those employed even in the United States of America. Crews as well as passengers are checked, guards are stationed on the docks, and a serious effort is made to see that no person is allowed ashore improperly. In spite of these precautions, however, it is evident that intelligent and determined aliens might with the connivance of even a junior officer of a ship's crew, and with reasonable luck, gain access to Canadian soil. Nor, with one possible exception, are there any methods of checking or safeguarding that could be employed (at any cost that would be at all commensurate with the importance of the service rendered), that would alter this condition. The one exception is the proposal that the Immigration officials should be given the right to demand the immediate fumigation of ocean vessels as soon as the passengers have disembarked and the crew been moved to a position of safety. It is believed that an occasional exercise of this authority would probably suffice to gain the desired end. But there are obvious difficulties which would probably cause trouble with the shipping companies, and in the case of some vessels the difficulties would be increased as a result of the "through" nature of their cargo and passenger list. Nevertheless the Board is inclined to advise that this right be given to the District Superintendent of Immigration to be used at his discretion.

41. A suggestion which was frequently made to members of the Board was that the Japanese population of the Dominion should be registered. Behind this demand was the strong belief that there were in British Columbia a very large number of Japanese who had entered Canada illegally and who were not recorded in the census returns. It was urged that registration would be relatively inexpensive, that it would discourage further attempts at illegal entrance by making eventual discovery almost certain, and that it would be approved by a proportion of the Japanese residents in Canada themselves as establishing finally and conclusively their individual right to be resident in Canada. In some



quarters it was considered that the system of registration might be linked with the removal of political and legal disabilities. Registration was opposed—particularly if it were to include a fingerprint record—on the ground that it would be discriminatory and that it might be made the opening wedge for a wide extension of a process repugnant to Canadian and British traditions of personal liberty.

42. The members of the Board of Review are not prepared to recommend the introduction of the system of registration under present conditions, as the result of its inquiry affords strong evidence against the assumption that there is at present any substantial illegal entry into the Dominion, or any considerable number of Japanese illegally present within the Dominion.

## I

### RECOMMENDATIONS

43. The investigations conducted by the Board of Review have shown

- A. that the number of Japanese who have entered Canada in recent years is very small,
- B. that the number of Japanese now illegally resident in Canada is certainly not greatly in excess of 100.

On the other hand, the members of the Board believe that any relaxation in the enforcement of the regulation or in the effort to apprehend those who are improperly in the Dominion would result in a recurrence of the difficulties which were experienced prior to 1932. In view of these facts, the Board submits the following recommendations:—

- A. That the Royal Canadian Mounted Police and the Immigration officials should be instructed to continue their customary efforts to apprehend illegal entrants and that long residence combined with the establishment of a home within the Dominion and a good record before the law should comprise the only circumstances under which orders of deportation against illegal entrants should be set aside.

- B. That the handling of ships at the ports of entry in British Columbia should be improved by enactment of and adherence to the following regulations:

- I. The Canadian Immigration authorities should issue their own Asiatic identification cards to members of the crews of ships that call regularly at Canadian ports instead of using the United States cards as at present.

- II. The Canadian Immigration authorities should have the right to order the fumigation of any vessel arriving in Pacific ports within two hours of its arrival. This right should not be used frequently but its existence should be made known and its employment should be at irregular intervals.

- III. Landing cards and visitors' passes should be punched by the ship guards, thus adding another psychological barrier to be surmounted by the would-be illegal entrant.

- IV. When Orientals arrive at Canadian ports with the announced intention of visiting the Dominion on business or as tourists, or of passing through Canada to some other country, a brief form of notification should be filled in by the Immigration Inspector and forwarded to Ottawa. Similarly when Orientals leave Canada after tourist or business visits a notification form should be returned to Ottawa from the port of exit. The two forms will then be cancelled



and the case closed. A similar method of checking should be used for insuring the departure of students who have entered Canada to attend college or university.

- C. That Section 50, subsection (10) of the Immigration Act be amended to raise the penalty for allowing a stowaway to land in Canada from \$100 to \$1,000.
- D. That close co-operation be continued between the Department of the Secretary of State and the Immigration Branch to the end that no illegal entrant shall be allowed to obtain naturalization in Canada.

## J

### CONCLUSION

44. In presenting this Report the members of the Board of Review wish to place on record their appreciation of the assistance which they received from civic and provincial authorities in British Columbia and from the representatives of federal departments stationed in that Province. They particularly appreciate the co-operation of the officers and men of the British Columbia Police and of the officials of the Departments of National Revenue, Fisheries, Labour, and National Defence.

45. The members of the Board wish also to commend the work of the representatives of the Royal Canadian Mounted Police and the Immigration Service who were especially assigned to assist in the activities of the Board of Review and who performed this service cheerfully, efficiently, and conscientiously.











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